



CITY APPOINTEES  
MARY SHARP, VICE CHAIR  
SCOTT FLEMING  
MARGARET PRITCHARD  
JAMES TOLES  
ALFRED WASHINGTON

# LAND USE CONTROL BOARD

EST. 1922 AS MEMPHIS PLANNING COMMISSION - REORGANIZED IN 1976

JOSH WHITEHEAD, AICP, SECRETARY

CITY HALL - 125 N. MAIN ST., STE. 468 - MEMPHIS, TENNESSEE 38103 - (901) 576-6601



COUNTY APPOINTEES  
JON MCCREERY, CHAIR  
ROBERT NORCROSS  
JENNIFER O'CONNELL  
DESIREE LYLES WALLACE  
LISA WILBANKS

## MINUTES

April 14, 2016

### Meeting Attendance

#### LUCB Board Members

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Jon McCreery	X	
Vice Chairperson	Mary Sharp	X	
Member	Scott Fleming	X	
Member	Desiree Lyles Wallace	X	
Member	Robert Norcross	X	
Member	Margaret Pritchard	X	
Member	Jennifer O'Connell	X	
Member	James Toles		X
Member	Alfred Washington	X	
Member	Lisa Wilbanks	X	

#### Call to Order and Roll Call

Chairman McCreery called the meeting to order at 10:00 a.m. Josh Whitehead called the roll. There was a quorum.

**LUCB Staff:** Calvin Abram, Brian Bacchus, Gene Burse, Don Jones, and Norman Saliba.

**Others Present:** Jim D. Ethridge, Larry Garrison, Bridgett McCall, Tim McCaskill, Barbara McIntyre, Ron Poe, James Pritchard, Cindy Reaves and Thomas Ward.

#### Chairman's Opening Remarks

Chairman McCreery read the General Order of the Public Hearing proceedings and the Conflict of Interest Statement.

#### Approval of Minutes: March 10, 2016

Board Member Pritchard made a motion to approve Minutes of March 10, 2016. The motion was seconded by Board Member Wilbanks. The motion passed unanimously.

#### Secretary's Report

Josh Whitehead welcomed Jennifer O'Connell as a new member to the LUCB appointed by Mayor Mark Luttrell and approved by the County Commission. Josh also reported that he would not be in attendance at next month's LUCB meeting and Norman Saliba would act in his stead.

### **General Order of Public Hearing**

Chairman McCreery explained the procedure for hearing the applications; staff presentation for the application; applicant comments; comments from the public; time limits; rebuttal; and the LUCB's discussion and action. Chairman McCreery also explained the procedure for hearing the Consent Agenda Items. He then introduced Board Member Lisa Wilbanks to be the Subdivision Chair and to read the Consent Agenda Items. The Consent Agenda Items were 1, 3, 4, 8, 9 and 10.

### **Consent Agenda (Items 1, 3, 4, 8, 9 and 10)**

- |                          |                                                                                                                           |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>1. CASE NUMBER:</b>   | <b>P.D. 05-337</b>                                                                                                        |
| <b>DEVELOPMENT NAME:</b> | <b>FIELDSTONE PD, PARCEL C</b>                                                                                            |
| <b>PROJECT LOCATION:</b> | <b>Generally located on the south side of Players Club Parkway, +/- 262 feet west of Hacks Cross Road.</b>                |
| Request:                 | A major modification to allow gymnastic training center on south side of Players Club Pkwy, +/-262' west of Hacks Cross.  |
| Staff's Recommendation:  | Approval with Conditions                                                                                                  |
| <br>                     |                                                                                                                           |
| <b>3. CASE NUMBER:</b>   | <b>SAC 16-06</b>                                                                                                          |
| <b>PROJECT LOCATION:</b> | <b>An unnamed east-west alley running between N. Claybrook Street on the west and N. Cleveland Street on the east.</b>    |
| Request:                 | A partial closure of an undeveloped alley extending +/- 248.20' east of N. Claybrook Street.                              |
| Staff's Recommendation:  | Approval with Conditions                                                                                                  |
| <br>                     |                                                                                                                           |
| <b>4. CASE NUMBER:</b>   | <b>S.A.C. 16-07</b>                                                                                                       |
| <b>PROJECT LOCATION:</b> | <b>Between 358 &amp; 362 North Main Street, extending to November 6th Street.</b>                                         |
| Request:                 | To close an existing public alley within the Uptown Special Purpose District.                                             |
| Staff's Recommendation:  | Approval with Conditions                                                                                                  |
| <br>                     |                                                                                                                           |
| <b>8. CASE NUMBER:</b>   | <b>P.D. 11-322</b>                                                                                                        |
| <b>PROJECT NAME:</b>     | <b>MTL PLANNED DEVELOPMENT</b>                                                                                            |
| <b>PROJECT LOCATION:</b> | <b>North side of Knight Arnold Road; +/- 790' west of Getwell Road.</b>                                                   |
| Request:                 | Modification to Michael's Tree and Loader PD at 3800 Knight-Arnold to allow operations in the non-disturb area of the PD. |
| Staff's Recommendation:  | Approval with Conditions as Amended                                                                                       |

**9. CASE NUMBER: P.D. 13-324**

*\*Board Member Norcross recused himself from this Agenda Item.*

**PROJECT NAME: CROSSTOWN PLANNED DEVELOPMENT**

**PROJECT LOCATION: South side of Tower Avenue; +/-465 feet west of N. Watkins Street.**

**Request:** Major modification to allow an indoor recreation building for a gymnasium/pool facility in Part of Parcel Four (4) of the Outline/Final Plan.

**Staff's Recommendation:** Approval with Conditions as Amended

**10. CASE NUMBER: P.D. 16-05**

**PROJECT LOCATION: 7684 US HWY 64.**

**Request:** To allow a planned development, incorporating a retail tire sales and tire service establishment within the CA zoning district.

**Staff's Recommendation:** Approval with Conditions

Chairman McCreery asked if there were any items needed to be removed/pulled for discussion. Agenda Item 2 was requested to be pulled. He then asked for a motion to approve Consent Agenda Items 1, 3, 4, 8, 9 and 10. Board Member Wilbanks made a motion to approve Consent Agenda Items 1, 3, 4, 8, 9 and 10 in agreement with staff's recommendations. The motion was seconded by Board Member Pritchard. The motion passed unanimously.

**REGULAR AGENDA ITEMS:**

Chairman McCreery introduced Board Member Pritchard who would serve as Zoning Chair and she then called the first case.

**Item 2: CASE #: P.D. 12-304      Tournament Center Planned Development, Areas B-1, and C-1**

**Request:** Modification to the Concept Plan and Conditions to allow attached residential units in Areas B-1 and C-1 of the Tournament Center Planned Development.

**Location:** Southside of Tournament Drive; +/- 2,160' west of Hacks Cross Rd.

**Applicant:** Gateway Development

**Applicant Representative:** Thomas Ward

**Staff's Recommendation:** Approval with Conditions

Chairman McCreery recognized the following persons who spoke from the audience in favor of the case.

James Pritchard, 3485 Wincross Dr., Memphis, TN 38119

**MOTION:**                      Approval with Conditions

MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Fleming, Lyles-Wallace, McCreery, O'Connell, Norcross, Pritchard,  
Sharp, Washington and Wilbanks

**Item 2 – APPROVED**

**Item 9: CASE #: P.D. 13-324 CROSSTOWN PLANNED DEVELOPMENT**

**\*A motion was made to recall and pull Consent Agenda Item #9 to be heard by the LUCB.**

MADE BY: Sharp  
SECOND: Pritchard  
AYES: Fleming, Lyles-Wallace, McCreery, O'Connell, Norcross, Pritchard,  
Sharp, Washington and Wilbanks

**Item 9 – APPROVED TO BE HEARD**

Request: Major modification to allow an indoor recreation building  
for a gymnasium/pool facility in Part of Parcel Four (4) of  
the Outline/Final Plan.  
Location: South side of Tower Avenue; +/-465 feet west of N.  
Watkins Street  
Applicant: Crosstown Arts  
Applicant Representative: SR Consulting, LLC– 5909 Shelby Oaks Dr Ste 200,  
Memphis, TN 38134.  
Staff's Recommendation: Approval with Conditions as Amended

Chairman McCreery recognized the following persons who spoke from the audience in  
favor of the case.

Barbara McIntyre, 1361 N. Parkway, Memphis, TN 38104

*\*Board Member Norcross recused himself from this Agenda Item.*

MOTION: Remains approved as Amended stated on the Consent Agenda.  
MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Fleming, Lyles-Wallace, McCreery, O'Connell, Pritchard, Sharp,  
Washington and Wilbanks

**Item 9 – APPROVED AS AMENDED**

**Item 5: CASE #: Z 2780**

**OAKVILLE INDUSTRIAL PARK M-L WHOLESALE  
DISTRIBUTION PARK**

Request: To modify Restrictions 2 and 3 of the original Oakville  
Industrial Park M-L Wholesale Distribution Park plan.  
Location: 3655 American Way  
Applicant: American Way, LLC/Guardian, LLC/ Fleet Equipment,  
LLC  
Applicant Representative: Ron Poe, 7842 Farmington Blvd., Germantown, TN 38138

Tim McCaskill, 7620 Appling Center Dr, Memphis, TN  
38133.

Staff's Recommendation: Rejection

Chairman McCreery recognized the following persons who spoke from the audience in opposition of the case.

Larry Garrison, 125 Blueberry Rd., Eads, TN 38028

1<sup>st</sup> MOTION: Approval with an Amendment to Condition #3  
MADE BY: McCreery  
SECOND: Norcross  
AYES: Fleming, Lyles-Wallace, McCreery, O'Connell, Norcross, Pritchard,  
Sharp, Washington and Wilbanks

2<sup>nd</sup> MOTION: Hold for 30 Days  
MADE BY: Fleming  
SECOND: Sharp  
AYES: Fleming, Lyles-Wallace, McCreery, O'Connell, Norcross, Pritchard,  
Sharp, Washington and Wilbanks

**Item 5 – APPROVED FOR 30 HOLD**

**Item 6: CASE #: PD R-O 131 KIRBY PARKWAY PLAZA PD PHASE II (PART OF NORTH OFFICE AREA)**

Request: To allow a detached monument sign at 1727 Kirby Parkway.  
Location: 1727 Kirby Plaza  
Applicant: Southland Development Partners  
Applicant Representative: Bridgett McCall - Solomito Land Planning, 2067 Kirby Parkway, Memphis, TN 38119.  
Staff's Recommendation: Approval with Conditions

MOTION: Approval with Conditions as Amended  
MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Fleming, Lyles-Wallace, McCreery, O'Connell, Norcross, Pritchard,  
Sharp, Washington and Wilbanks

**Item 6 – APPROVED**

**Item 7: CASE #: P.D. 08-324 CO WOODLAND HILLS II PLANNED DEVELOPMENT**

*\*Board Member Wilbanks recused herself from this Agenda Item.*

Request: Site Plan Review for a new one-story, brick convenience store 3,500 sq. ft. in area with gasoline pumps in Area 10 of the Outline Plan.  
Location: Northwest corner of Walnut Grove Road and Woodland

Applicant: Lake Drive  
Applicant Representative: Ethridge Enterprises - Jim D. Ethridge  
Fisher & Arnold, Inc.  
Cindy Reaves, SR Consulting, LLC- 5909 Shelby Oaks Dr  
Suite 200, Memphis, TN 38134.  
Staff's Recommendation: Approval with three (3) Site Plan Conditions

MOTION: Approved as Amended  
MADE BY: Pritchard  
SECOND: Fleming  
AYES: Fleming, Lyles-Wallace, McCreery, O'Connell, Norcross, Pritchard,  
Sharp and Washington

**Item 7 – APPROVED AS AMENDED**

**Item 11: CASE #: N/A**

Request: Adopt Board Bylaws to replace its Rules, Fees and  
Legislation from 1979.  
Representative: Josh Whitehead, Secretary, Land Use Control Board  
Staff's Recommendation: Approval

MOTION: Approved as Amended  
MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Fleming, Lyles-Wallace, McCreery, O'Connell, Norcross, Pritchard,  
Sharp and Washington

**Item 11 – APPROVED**

**ADJOURNMENT:**

There being no further business, the meeting there upon was adjourned.

MINUTES APPROVED: May 12, 2016

X  
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CHAIRMAN

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SECRETARY